

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION***

WRIT PETITION NO. 6142 OF 2018

M/s. Rosoboron Service (India) Ltd. ... Petitioner.

V/s.

The State of Maharashtra & Ors. ... Respondents.

Mr. V. Sridharan, Senior Advocate i/b. Mr. C.B. Thakar for the
Petitioner.

Ms. Shruti Vyas, 'B' Panel Counsel for the Respondents.

***CORAM : S.C. Dharmadhikari and
Smt. Bharati H. Dangre, JJ.***

19 June, 2018.

P.C. :-

After this Writ Petition was argued at sufficient length and the attention of the learned AGP was invited to the specific allegations in the Writ Petition in grounds under the heading A and B pages 8 and 9 of the paper-book, on instructions, she fairly states that the Respondents withdraw the impugned order passed on 1st January 2018 by the Third Respondent. Meaning thereby the orders of assessment passed by the Respondent No.3 under Maharashtra Value Added Tax Act, 2002 (MVAT for short) and Central Sales Tax

Act, 1956 (CST for short) for the Financial Year 2011-2012, copies of which are Exhibits 'L' and 'M' stand withdrawn. The Petitioner will appear before the Assessing Officer on 4th July 2018 at 10.30 a.m. The Assessing Officer shall pass a fresh order on merits and in accordance with law, uninfluenced by the earlier order.

2. When the Petitioner appears pursuant to our directions, they shall not raise the defence that the proceedings are barred by limitation. However, all contentions on merits are kept open.

3. The Petition is disposed of accordingly.

(Smt. Bharati H. Dangre, J.) (S.C.Dharmadhikari, J.)